

DEPARTMENT OF STATE A/ODC/MR	
REVIEWED BY <i>Kodell</i>	DATE <i>9-30-82</i>
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Dear Jim: *(Pilcher)*

As a possible complement to conversations at your end with the Foreign Office, I am enclosing a copy of a memorandum of a conversation I had with Minister Ryuji Takouchi on April 24, one day after the despatch of airgram 877, which was sent in the hope that it would to some extent assist the processing of visa applications of Japanese businessmen pending the effectuation of the FCN Treaty.

This is a subject which has greatly concerned us for some time and which the Japanese Embassy has taken up repeatedly with us over the past several months. Having got nowhere on the basis of informal consultations with the Visa Office where our working level contacts appeared to be obsessed with the petition formula under Section 101(a)(15)(H) - clumsy and slow at best and which you had already found to be unworkable as noted in your excellent Minutes of the January 1963 Consular Conference - we attempted the more formal approach of a memorandum from Mr. Allison (copy enclosed). We were trying here to establish the B classification as the basis for the entry of temporary business visitors and to get away from administrative interpretations and suspicions which tended to preclude the entry of all such businessmen until effectuation of the FCN Treaty established the treaty trader category. The Treaty having been signed on April 2, we now had the firm support of the Commercial Policy Staff, notably Messrs. Walker and Sullivan. The latter were somewhat dubious as to the results of this approach - rightly as it turned out - and pending the VO reply consulted with us in drafting airgram 877. The draft was approved by Mr. Alexander of VO, who made

James B. Pilcher, Esquire
 Consul General,
 American Embassy,
 Tokyo.

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only one or two minor suggestions. We do hope that it will help solve some part of the problem, and allow visa-issuing officers wider latitude to issue temporary visitor visas to bona fide Japanese business men of the managerial class, without regard to the speculative consideration of their possible, later eligibility to qualify for treaty trader status.

We received on April 24 a reply dated April 16 to Mr. Allison's memorandum, and pass a copy on to you for such comment as you may wish to make. You will see that this WO memorandum still clings to the H formula for temporary employment. The April 23 airgram therefore represents considerable progress.

I would appreciate your informal observations on this difficult and troublesome matter, and will be happy to take up any further points which you think might be helpful in easing present restrictions, which are harmful to Japanese-American commercial relations in the impediments they place on Japanese businessmen trying to engage in trade with us.

Sincerely yours,

Robert J. G. McClarkin
Deputy Director
Office of Northeast Asian Affairs

Enclosures:

- 1) Memorandum of Conversation, April 24.
- 2) FE to WO, April 3
- 3) WO to FE, April 16

*not attached
to file copy*

cc-Mr. Maring, Embassy, Japan

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FE:NA:FEH:ley:eb
April 30, 1963.

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